

Estes Valley Wetlands Protection



Revision Date: October 2013

OVERVIEW

Wetlands protection standards are intended to promote, preserve, and enhance the important hydrologic, biological, ecological, aesthetic, recreational and educational functions that stream and river corridors, associated riparian areas and wetlands provide.

Regulations apply to all new development.



Source: EPA

DEVELOPMENT STANDARDS

To the maximum extent feasible, wetlands shall not be included as part of a platted development lot.

No person shall engage in any activity that will disturb, remove, fill, drain, dredge, clear, destroy or alter any wetlands or their associated buffer area.



Source: EPA

Structures and improvements for recreational, educational or scientific activities such as trails, fishing access and wildlife management and viewing may be permitted in a buffer/setback area provided that a management plan that establishes long-term protection of the buffer/setback area is submitted and approved.

PRESERVATION OF VEGETATION

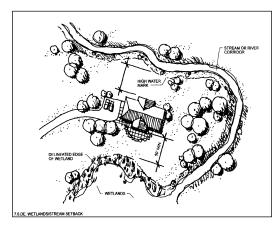
All existing vegetation within the stream/river corridor or wetland buffer/setback area shall be preserved, and where necessary to provide adequate screening or to repair damaged riparian areas, supplemented with additional native planting and landscaping.



Source: EPA

BUFFER/SETBACK AREAS

All buildings, accessory structures and parking lots shall be set back at least fifty feet horizontally from the delineated edge of a wetland.



Single-Family Residential Development on lots that were approved for single-family

residential use prior to the adoption of the Estes Valley Development Code (Feb. 1 2000) are exempt from the setback requirement, but cannot disturb wetlands.

This means site grading and stormwater drainage from the site must be incorporated into the overall site design.

UTILITIES

No Alternative. Utilities are allowed in a buffer area if the Decision-Making Body determines that there is no practical alternative.

Location. Utility corridors in buffer areas must be located at the outside edge of the area and access roads for maintenance of utilities must be located outside the buffer area.

Access. Access for maintenance of utilities in buffer areas should be at specific points rather than parallel to the utility corridor.

Reclamation. Disturbance of the buffer area must be reclaimed by regrading and revegetation. Provisions for reclamation of the disturbed area must be included in any development or improvements agreement for the project, with adequate collateral to guarantee that the reclamation will be completed.



Source: EPA

BOUNDARY DELINEATION

Wetlands include areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Boundary delineation of wetlands shall be established by reference to the following:

- National Wetlands Inventory prepared by the U. S. Department of the Interior, Fish and Wildlife Service; and
- (2) Colorado Natural Heritage Program maps.

Unmapped Wetlands. The review of a development proposal may identify wetlands that have not been mapped or for which the boundaries have not been clearly established.

In such instances, the Applicant shall retain a qualified wetland expert to delineate the boundaries of the wetland according to accepted professional standards.

WETLAND MITIGATION REQUIREMENTS

Restoration shall be required according to an approved wetland mitigation plan when a wetland or its buffer is altered in violation of law or without specific permission or approval by the Decision-Making Body.

All approved alterations of wetlands must be mitigated by replacement or enhancement on the site or within the same drainage basin on a one-to-one basis with equivalent or better biologic and hydrologic functions.

Section 404 of the Federal Clean Water Act (CWA) establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including streams and rivers.

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Contact the US Army Corps of Engineers at 303-979-4120 for permit information.

Note: This information was summarized from Estes Valley Development Code Section 7.6 *Wetlands and Stream Corridor Protection.* Please visit www.estes.org for complete development code requirements.